

Response
Serial No. 10/721,995
Attorney Docket No. 032038

REMARKS

Claims 1-6 are pending in the present application and are rejected.

Applicants' Response to Claim Rejections under 35 U.S.C. §102

Claims 1-6 were rejected under 35 U.S.C. §102(b) as being anticipated by Adelson et al. (U.S. Patent No. 4,005,786).

It is the position of the Office Action that **Adelson** discloses the invention as claimed. **Adelson** discloses a mechanical load device for storehouses. As illustrated in Figure 1, **Adelson** discloses a frame 1 which spans the entire width of a storeroom. The frame 1 includes wheels 2 which travel on trackway 3. Also mounted on frame 1 are columns 12. Transfer means 13 travels up and down the columns 12 in order to transfer loads "a." The loads "a" are transferred to and from fork load collector 8 and fork racks 6 mounted on shelves 5.

The Office Action argues that "buffers 5" have "loading and unloading means 6." However, **Adelson** does not teach this. As illustrated in Figure 2, shelves 5 have fork racks 6, upon which loads "a" are situated. In order to load or unload the loads "a" from the fork racks 6, the transfer means 13 is used, without use of any type of loading or unloading means on the fork rack 6 or shelves 5. This is explained in detail at column 4, lines 6-35 and in Figures 1 and 4. Briefly, the transfer means includes members 21 which raise between the fork racks 6 in order to load or unload the load "a." The shelves 5 and fork racks 6 are only used to store the load "a" and do not have a functional role in the loading or unloading operation.

On the other hand, claim 1 requires:

Response
Serial No. 10/721,995
Attorney Docket No. 032038

buffers each comprising *loading and unloading means* for delivering and receiving an article to and from the conveying means of the overhead traveling carriage.

Unlike the shelves 5 of **Adelson**, the loading and unloading means of the present invention acts to draw in an article from the conveying means of the carriage, as well as feed out an article to the conveying means of the carriage. For example, as illustrated in Figure 3, the roller conveyors 46 in buffers 45 are loading and unloading means which load and unload an article to and from the roller conveyors 8 of the carriage 10. **Adelson** does not disclose such loading and unloading means.

Thus, Applicants respectfully submit that claims 1-6 distinguish over **Adelson**, since **Adelson** does not disclose buffers comprising loading and unloading means as required by claim 1. Favorable reconsideration is respectfully requested.

Applicant's Response to Claim Rejections under 35 U.S.C. §103

Claims 1-6 were rejected under 35 U.S.C. §103(a) as being unpatentable over Shiwaku (U.S. Patent No. 6,183,184) in view of Minardi et al. (U.S. Patent No. 6,450,318) and Hoffman (U.S. Patent No. 5,328,316).

It is the position of the Office Action that **Shiwaku** discloses the invention as claimed, with the exception of a conveying means in a carriage or buffer. The Office Action relies on **Minardi** and **Hoffman** to provide this teaching.

The Office Action states that **Minardi** discloses a conveying means disposed on a carriage. **Minardi** discloses a conveyor 24 disposed on a container support structure 22, which is

Response
Serial No. 10/721,995
Attorney Docket No. 032038

a part of cart 12. As illustrated in Figure 2, the conveyor 24 includes a movable belt 30 which acts to transfer a carrying container 25 to or from a collection area 35. **Minardi** does not disclose a conveying means disposed on the collection area 35.

The Office Action also states that **Hoffman** discloses horizontally loading into buffers. **Hoffman** discloses an automatic storage and retrieval system in which a shuttle means 32 travels on a rail means 28. As illustrated in Figure 1, the shuttle means 32 includes bin extractor means 34 which acts to transfer an article to or from bin 22. See column 5, lines 46-49. As is clear from the Figures, the bins are in a horizontal direction relative to the shuttle means. Although **Hoffman** discloses bin extractor means 34 disposed in shuttle means 32, **Hoffman** does not disclose a transfer means or conveyor means in bins 22.

In summary, neither **Hoffman** nor **Minardi** disclose a loading and unloading means disposed in a buffer which is at a height corresponding to the overhead traveling carriage. Claim 1 requires:

buffers arranged at a side of the running path at a height corresponding to the conveying means of each overhead traveling carriage, the buffers each comprising *loading and unloading means* for delivering and receiving an article to and from the conveying means of the overhead traveling carriage.

As noted above, the roller conveyors 46 in buffers 45 are loading and unloading means which load and unload an article to and from the roller conveyors 8 of the carriage 10. The combination of **Shiwaku**, **Minardi** and **Hoffman** does not disclose such buffers. Thus, Applicants respectfully traverse the rejection. Favorable reconsideration is respectfully requested.

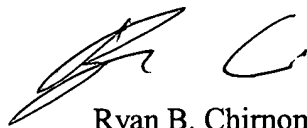
Response
Serial No. 10/721,995
Attorney Docket No. 032038

For at least the foregoing reasons, the claimed invention distinguishes over the cited art and defines patentable subject matter. Favorable reconsideration is earnestly solicited.

Should the Examiner deem that any further action by applicant would be desirable to place the application in condition for allowance, the Examiner is encouraged to telephone applicant's undersigned agent.

If this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
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